

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MAXIMILLIAN LEDWITH,

Plaintiff,

v.

Case No. 17-cv-397

JOHN WIEDERHOLT, DDS OF ACCESS
COMMUNITY HEALTH CENTER'S DENTAL CLINIC,

Defendant.

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that this case has been removed to the United States District Court for the Western District of Wisconsin from the Circuit Court of Dane County, in the State of Wisconsin.

The United States, on behalf of defendant John Wiederholt, DDS of Access Community Health Center's Dental Clinic¹, pursuant to 42 U.S.C. § 233(c), states the grounds for removal are as follows:

1. A civil action was commenced in the Circuit Court of Dane County, in the State of Wisconsin, in which Maximillian Ledwith is the plaintiff, and John Wiederholt, DDS of Access Community Health Center's Dental Clinic is the defendant. Said action has been designated by Case No. 17-cv-0465.

¹ Plaintiff refers to "Access Community Health Center's Dental Clinic" in his complaint. The correct name is Madison Community Health Center, Inc. d/b/a Access Community Health Centers.

2. In accordance with the Federally Supported Health Centers Assistance Act, 42 U.S.C. § 233(g)-(n), John Wiederholt, DDS and his employer, Madison Community Health Center, Inc. d/b/a Access Community Health Centers are deemed employees of the United States.

3. In accordance with federal law and a duly authorized certification of scope of employment, pursuant to 42 U.S.C. § 233(c), this action “shall be removed without bond at any time before trial...to the district court of the United States for the district...embracing the place wherein it is pending and the proceeding deemed a tort action brought against the United States under the provisions of Title 28 and all references thereto.”

4. A copy of the complaint filed in the state court action is attached.

5. A copy of this notice has been mailed to all adverse parties and filed with the clerk of the State court.

Dated this 24th day of May, 2017.

Respectfully submitted,

JEFFREY M. ANDERSON
Acting United States Attorney

By:

s/ Richard D. Humphrey
RICHARD D. HUMPHREY
Assistant United States Attorney
United States Attorney's Office
Western District of Wisconsin
222 West Washington Avenue, Suite 700
Madison, WI 53703
Phone: (608) 264-5158